



# House of Representatives

General Assembly

**File No. 206**

January Session, 2009

Substitute House Bill No. 5311

*House of Representatives, March 25, 2009*

The Committee on Human Services reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT INCREASING TEMPORARY FAMILY ASSISTANCE  
BENEFITS FOR GRANDPARENTS AND OTHER NONPARENT  
CARETAKER RELATIVES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17b-112 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2009*):

4 (a) (1) The Department of Social Services shall administer a  
5 temporary family assistance program under which cash assistance  
6 shall be provided to eligible families in accordance with the temporary  
7 assistance for needy families program, established pursuant to the  
8 Personal Responsibility and Work Opportunity Reconciliation Act of  
9 1996. The Commissioner of Social Services may operate portions of the  
10 temporary family assistance program as a solely state-funded  
11 program, separate from the federal temporary assistance for needy  
12 families program, if the commissioner determines that doing so will  
13 enable the state to avoid fiscal penalties under the temporary

14 assistance for needy families program. Families receiving assistance  
15 under the solely state-funded portion of the temporary family  
16 assistance program shall be subject to the same conditions of eligibility  
17 as those receiving assistance under the federal temporary assistance for  
18 needy families program. Under the temporary family assistance  
19 program, benefits shall be provided to a family for not longer than  
20 twenty-one months, except as provided in subsections (b) and (c) of  
21 this section. For the purpose of calculating said twenty-one-month  
22 time limit, months of assistance received on and after January 1, 1996,  
23 pursuant to time limits under the aid to families with dependent  
24 children program, shall be included. For purposes of this section,  
25 "family" means one or more individuals who apply for or receive  
26 assistance together under the temporary family assistance program. If  
27 the commissioner determines that federal law allows individuals not  
28 otherwise in an eligible covered group for the temporary family  
29 assistance program to become covered, such family may also, at the  
30 discretion of the commissioner, be composed of [(1)] (A) a pregnant  
31 woman, or [(2)] (B) a parent, both parents or other caretaker relative  
32 and at least one child who is under the age of eighteen, or who is  
33 under the age of nineteen and a full-time student in a secondary school  
34 or its equivalent. A caretaker relative shall be related to the child or  
35 children by blood, marriage or adoption or shall be the legal guardian  
36 of such a child or pursuing legal proceedings necessary to achieve  
37 guardianship. If the commissioner elects to allow state eligibility  
38 consistent with any change in federal law, the commissioner may  
39 administratively transfer any qualifying family cases under the cash  
40 assistance portion of the state-administered general assistance  
41 program to the temporary family assistance program without regard  
42 to usual eligibility and enrollment procedures. If such families become  
43 an ineligible coverage group under the federal law, the commissioner  
44 shall administratively transfer such families back to the cash assistance  
45 portion of the state-administered general assistance program without  
46 regard to usual eligibility and enrollment procedures to the degree that  
47 such families are eligible for the state program.

48 (2) The payment standard for a child receiving temporary family

49 assistance pursuant to this section in which the head of the household  
50 is a nonparent caretaker relative and the legal guardian of the child  
51 shall be equal to the prevailing foster care rate paid by the Department  
52 of Children and Families for the equivalent number of children in a  
53 thirty-day month.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2009	17b-112(a)
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**AGE**      *Joint Favorable Subst. C/R*      HS

**HS**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Department of Social Services	GF - Cost	32.6 million	32.6 million

**Municipal Impact:** None

#### **Explanation**

This bill would increase the Temporary Family Assistance (TFA) payment standard to households headed by non-parent caretaker relatives to a rate equivalent to foster care rates paid by the Department of Children and Families (DCF).

This change would affect approximately 5,000 households, with 6,600 children. The payment standards would be increased from the current TFA standard of \$354 monthly (\$470 for multiple child households) to the DCF standard of between \$783 and \$859 monthly, depending on age. Assuming the midpoint of the DCF range, this would result in an increased annual cost to the state of \$32.6 million.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to changes in caseloads and payment standards.

*Sources: DSS cost and caseload data, OLR bill summary*

**OLR Bill Analysis****sHB 5311*****AN ACT INCREASING TEMPORARY FAMILY ASSISTANCE BENEFITS FOR GRANDPARENTS AND OTHER NONPARENT CARETAKER RELATIVES.*****SUMMARY:**

For certain individuals, this bill increases the “child only” payment standards under the Department of Social Services (DSS)-administered Temporary Family Assistance (TFA) program to the same level as the foster care rate paid by the Department of Children and Families (DCF) for the equivalent number of children in a 30-day month. The increased TFA payment applies to a nonparent caretaker relative who is head of the household and the child’s legal guardian.

EFFECTIVE DATE: July 1, 2009

**BACKGROUND*****TFA Child Only Payments***

Non-parent relative caregivers, including grandparents raising grandchildren, who are appointed guardians of a child through probate court are not formally subsidized by the state, although a qualifying guardian may receive a monthly “child only” TFA payment from DSS. The current payment rate is \$354 for one child and \$470 for two children living in most parts of the state. This rate is substantially less than the rate paid to guardians of children involved in the child welfare system.

***DCF Foster Care Payments***

When DCF places court-committed abused or neglected children in a non-parent relative’s care, it pays the relative a monthly foster care payment between \$782.62 and \$858.96 for each child, depending on the child’s age. (Payments for children with medically complex problems

are higher.) The caregiver must obtain a foster care license and meet DCF standards for living arrangements, and the department provides care management and other support services as it does for non-relative foster parents. After six months, caregivers may ask DCF to make them subsidized guardians through Superior Court. Once guardianship is granted, caregivers continue to receive monthly payments equal to the foster care rates.

**COMMITTEE ACTION**

Select Committee on Aging

Joint Favorable Substitute Change of Reference

Yea 10 Nay 0 (02/17/2009)

Human Services Committee

Joint Favorable

Yea 12 Nay 6 (03/10/2009)